



Attorney Docket No. 1017753-000201
(Formerly 15675P558) DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Didier HOARAU et al.) Group Art Unit: 1615
Application No.: 10/518,173) Examiner: THURMAN K PAGE
Filed: December 10, 2004) Confirmation No.: 5720
For: STEALTH LIPID NANOCAPSULES,)
METHODS FOR THE PREPARATION)
THEREOF AND USE THEREOF AS A)
CARRIER FOR ACTIVE PRINCIPLE(S))

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The subject application has been assigned a new Attorney Docket No. of 1017753-000201. Please mark your records accordingly and refer to the new number in all future communications related to this patent application.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: February 6, 2006

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Didier HOARAU et al.

Application No.: 10/518,173

Filed: December 10, 2004

For: STEALTH LIPID NANOCAPSULES,
METHODS FOR THE PREPARATION
THEREOF AND USE THEREOF AS A
CARRIER FOR ACTIVE PRINCIPLE(S)



Group Art Unit: 1615

Examiner: THURMAN K PAGE

Confirmation No.: 5720

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of the Official Filing Receipt marked in red to show correction that is needed. The correction is as follows:

The third listed inventor's name is incorrect. Please change the name from "Jean-Christophe Delmas" to --JEAN-CHRISTOPHE LEROUX--.

The third listed inventor's name is correctly identified on the executed Declaration and the Application Data Sheet, filed on March 10, 2005 and all 371 transmittal letters submitted in this case to the U. S. Patent and Trademark Office. It is also apparent from the cover page of the published version of the PCT application, WO 03/103822 (copy attached).

Issuance of a corrected Official Filing Receipt is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: February 6, 2006

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620



O P R E
FEB 06 2006
PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/518,173	12/10/2004	1615	3990	15675P558		52	1

CONFIRMATION NO. 5720

21839
BURNS DOANE SWECKER & MATHIS L L P
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

FILING RECEIPT



OC00000001621485

Date Mailed: 06/14/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Didier Hoarau, Montreal, CANADA;
Pascal Delmas, Quebec, CANADA;
Jean-Christophe Delmas, Quebec, CANADA;
-- JEAN- CHRISTOPHE LEROUX --

Assignment For Published Patent Application

ETHYPHARM, HOUDAN, FRANCE

Power of Attorney: The patent practitioners associated with Customer Number 21839.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB03/03213 06/11/2003
which claims benefit of 60/421,112 09/09/2002

Foreign Applications

FRANCE 0207175 06/11/2002

Projected Publication Date: 09/15/2005

Non-Publication Request: No

Early Publication Request: No

017753-201
NTS/MKB

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
RECEIVED
JUN 16 2005
6-22-05 JJ
DOCKETED

Title

Stealth lipid nanocapsules, methods for the preparation thereof and use thereof as a carrier for active principle(s)

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184; if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
18 December 2003 (18.12.2003)

(10) International Publication Number
WO 03/103822 A2

- (51) International Patent Classification⁷: **B01J** SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (21) International Application Number: **PCT/IB03/03213**
- (22) International Filing Date: 11 June 2003 (11.06.2003)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
0207175 11 June 2002 (11.06.2002) FR
60/421,112 9 September 2002 (09.09.2002) US
- (71) Applicant (for all designated States except US): ETHY-PHARM [FR/FR]; 21, rue Saint-Mathieu, F-78550 Houdan (FR).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): HOARAU, Didier [FR/CA]; 5716, rue Saint-Urbain, Montreal, Quebec H2T 2X3 (CA). DELMAS, Pascal [FR/CA]; 97 McCulloch, Outremont, Quebec H2Y 3L8 (CA). LEROUX, Jean-Christophe [CA/CA]; 329 Notre-Dame Est, Apt 327, Montreal, Quebec H2Y 3Z2 (CA).
- (74) Agents: MARTIN, Jean-Jacques et al.; Cabinet Reginbeau, 20, rue de Chazelles, F-75847 Paris Cedex 17 (FR).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW, ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG)
- as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)) for the following designations AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW, ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG)
- as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii)) for all designations
- Published:
- without international search report and to be republished upon receipt of that report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

A2

WO 03/103822

(54) Title: STEALTH LIPID NANOCAPSULES, METHODS FOR THE PREPARATION THEREOF AND USE THEREOF AS A CARRIER FOR ACTIVE PRINCIPLE(S)

(57) Abstract: The present invention relates to stealth lipid nanocapsules consisting of an essentially lipid core which is liquid or semi-liquid at ambient temperature, and an outer lipid envelope comprising at least one hydrophilic surfactant which is lipidic in nature, at least one lipophilic surfactant which is lipidic in nature and at least one amphiphilic derivative of poly(ethylene glycol), the molar mass of the poly(ethylene glycol) component of which is greater than or equal to 1 000 g/mol, preferably greater than or equal to 2 000 g/mol, to the methods for the preparation thereof and to the use thereof as a carrier for active principle(s).